

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EUROPEAN COFFEE B.V., et al.,

Plaintiffs,

v.

GEORGE WILLEKES, et al.,

Defendants.

Civil Action No. 10-3394 (SDW)

ORDER

October 7, 2010

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Madeline C. Arleo filed August 31, 2010, regarding Plaintiffs' motion to remand to the Superior Court of New Jersey, Chancery Division, Sussex County (Docket Entry No. 5), and for costs and fees pursuant to 28 U.S.C. § 1447(c). Defendants oppose the motion. Objections to the R&R were filed by Defendants on October 6, 2010.

The Court has reviewed the R&R and the briefs and documents on file in this matter. Based on the foregoing, and for good cause shown,

IT IS, on this 7th day of October, 2010,

ORDERED that the R&R of Magistrate Judge Arleo filed August 31, 2010, including the reasons set forth on the record on August 31, 2010, is **ADOPTED** as the conclusions of law of this Court; and it is further

ORDERED that Plaintiffs' motions to remand this action to the Superior Court of New Jersey, Chancery Division, Sussex County, (Docket Entry No. 5), is **GRANTED**; and it is further

ORDERED that Plaintiffs' request for an award of attorney's fees pursuant to 28 U.S.C. § 1447(c) is **DENIED**; and it is further

ORDERED that Defendants' motion for reconsideration of the state court's June 18, 2010, (Docket Entry No. 19), be dismissed without prejudice.

s/ Susan D. Wigenton, U.S.D.J.

cc: Magistrate Judge Madeline C. Arleo